

## **REMARKS**

Claims 1-18 are pending. Claims 1, 10, 14 and 17 have been amended. No claims have been canceled, and no new claims have been added. Applicant respectfully requests reconsideration of the claims in view of the above amendments and the following remarks.

Applicants acknowledge with appreciation the courtesy of a telephonic interview on July 1, 2008 among Examiner Mirza, and Supervisory Patent Examiner Cardone and Applicant's Attorney Thomas J. Tuytschaevers to discuss the Office action of March 6, 2008.

During that call, the parties discussed the outstanding rejections under 35 U.S.C. sections 103 and 112. The Examiners also raised a concern under 35 U.S.C. §101 relating to the phrase "computer useable medium" which is used in claim 14. The Examiners made suggestions towards the language of the independent claims to address these issues.

### **35. U.S.C. §112 Rejections**

The Office Action of March 6, 2008 rejected claims 14-18 "under 35. U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 14-18 does not meet the metes and bounds of the claim." Pursuant to the telephonic interview of July 1, 2008, Applicants understand that this rejection relates to the use of the phrase "for use."

Accordingly, Applicants have amended claim 14 to omit the phrase "for use with a computer system."

Applicants note that, although the Office Action did not contain a rejection under 35 U.S.C. §101, the Examiners voiced a concern during the telephonic interview relating to the phrase "computer useable medium." That phrase appeared only in claim 14. Accordingly, Applicants have amended the preamble of claim 14 to replace the phrase

“computer useable medium” with the phrase “storage medium”, so that the claim, as so amended, refers to a “tangible storage medium.”

### **35. U.S.C. §103 Rejections**

The Office Action of March 6, 2008 rejected claims 1-18 “under 35. U.S.C. §103 as being unpatentable over Conmy (US 2001/0014867) and further in view of Henneuse et al (US 5,963,913).”

One distinction between the presently claimed invention and Conmy and Henneuse (both individually and in combination) is the point in their respective processes at which an action or actions are taken. The presently claimed invention is distinguishable from Conmy and Henneuse because, among other things, the presently claimed invention uses web pages that include the time for the event (i.e., a predetermined time), while Conmy and Henneuse use web pages before the time of the event has been established, and therefore Conmy and Henneuse do not include in their respective web pages a predetermined time for the event.

In both Conmy and Henneuse, most of the activity occurs before the time for the event is established. Indeed, Conmy and Henneuse make use of various web pages to communicate with pre-defined set of potential attendees, in order to inquire about their availability, and to manage their responses. The availability of those potential attendees is used to establish a time for the event. After the time for the event is established, the event organizer (or the system on behalf of the event organizer) sends an invitation or other notice (but not using a web page) to the desired attendees to inform them of the time chosen for the event. Applicants specifically note that Conmy and Henneuse use web pages before deciding on a time for the event, but not after a time for the event has been established.

In contrast, the presently claimed invention uses a web page to solicit attendees for an event that already has a predetermined time – i.e., after deciding on a time for the event. The web page includes a set of details about the event, including at least the predetermined time for the event. A potential attendee can add the event to her calendar by clicking on a link on the web page. Thus, the use of a web page in the presently

claimed invention is to solicit potential attendees, occurs after the time for the event has been determined, and (unlike Conmy and Henneuse) includes the predetermined time for the event.

This is in contrast to both Conmy and Henneuse, which use web pages at different times (before the time for the event has been determined) and for different purposes (inquiring about the availability of potential attendees so that a time for the event can be chosen). This distinction means, at least, that the web pages used by Conmy and Henneuse cannot include information about a predetermined time for an event, since no such predetermined time yet exists.

Accordingly, Applicants have amended the preamble to claims 1, 10 and 14 to clarify that the set of details includes a predetermined time for the event, and have also amended claims 1, 10 and 14 to specify that the details in the schedule request includes the predetermined time. Clearly, the use of web pages by Conmy and Henneuse do not anticipate the presently pending claims, at least because the web pages of Conmy and Henneuse do not include information about a predetermined time for the event.

#### **Claim 17 Punctuation**

Finally, Applicants have amended claim 17 to add a period at the end of the claim.

All pending claims are believed to be in a form suitable for allowance. Therefore, the application is believed to be in a condition for allowance. The Applicant respectfully requests early allowance of the application. The Applicant requests that the Examiner contact the undersigned, Thomas J. Tuytschaevers, if it will assist further examination of this application.

Applicant petitions for a two (2) month extension of time. In the event that a further extension is needed, this conditional petition of extension is hereby submitted. Applicant requests that deposit account number 19-4972 be charged for any fees that may be required for the timely consideration of this application.

Date: August 1, 2008

Respectfully submitted,

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